IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

WP(C).No. 23934 of 2007(Y)

AGAINST THE ORDER IN EP.10/2001 IN
OS.139/1996 of SUB COURT,THODUPUZHA

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PETITIONER:

KURIAN JOSEPH, S/O.LATE JOSEPH, AGED 53,
MANAYANIKKAL HOUSE, KARIKODE VILLAGE,
THODUPUZHA.

BY ADV. SRI.JOHNSON MANAYANI

RESPONDENTS:

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1. K.O.VARKEY, S/O.OUSEPH, KUNNATHUPLACKAL VEEDU, ELAMDESOM KARA, VELLIAMATTOM VILLAGE.

2. MARTHOMA RUBBER COMPANY (PVT) LTD., ALLEPPEY, REPRESENTED BY ITS MANAGING DIRECTOR, ANTONY GEORGE, S/O.GEORGE, MADATHILAKKALVEEDU, FACTORY ROAD, ALLEPPEY.

BY ADV. SRI.MATHEW JOHN (K)
SRI.SUJESH MENON V.B.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Appendix

Petitioner's Exts:

Ext.P1 true copy of the E.P.No.10 of 2001 in O.S.No.139 of 1996 of the Sub Court5, Thodupuzha dated 10.1.2001.

Ext.P2 true copy of the application filed by the 1st respondent dated 10.1.2001.

Ext.P3 true copy of the sale notice dated 4.7.2007.

Ext.P4 true copy of the objection filed by the petitioner to Ext.P3.

Ext.P5 true copy of the order of the learned sub Judge, Thodupuzha dated 5.7.2007 in E.P.No.10 of 2001 in O.S. 139 of 12996.

M.N.Krishnan, J.

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W.P(C).No.23934 of 2007

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Dated this the 12th day of September, 2007.

JUDGMENT

This Writ Petition is filed seeking to set aside the order passed in E.P.No.10 of 2001 in O.S.No.139 of 1996 of the Sub Court, Thodupuzha. Respondents had also entered appearance. It is submitted that the parties have almost arrived at a settlement. Therefore in order to facilitate the parties to arrive at a settlement, I direct the court below to defer the sale by one month and if it is not settled within one month, the court is permitted to proceed with the sale proceedings as ordered.

Writ Petition is disposed of as above.

M.N.Krishnan,
Judge.

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